



## RESTRAINT OF TRADE

### Suit to Dissolve Harriman System.

### DEFENDANTS ANSWERS

### To Cover Certain Allegations of Government Joint Answers Were Also Filed.

### HE ADMITS HE IS PRESIDENT

### He Avers That in the Trans-Continental Lines of Railroads Reaching the Pacific Coast South of Portland the Union Pacific is Only a Link.

SALT LAKE CITY, April 6.—The answers of the defendants in the suit of the United States to dissolve the so-called Harriman system of railroads as being a monopoly in the restraint of trade, were filed in the federal court here today. The answers make a general denial of the allegations of the government. Besides the answer of E. H. Harriman, signed by himself, and Harley L. Williams, his solicitor and counsel in Salt Lake City answers were filed by Senator W. A. Clark, president of the Salt Lake Route; the Farmers' Loan & Trust Company, New York; H. C. Frick; the Union Pacific; Oregon Short Line and Oregon Railroad & Navigation Companies. To cover certain allegations of the government the joint answers were also filed. Harriman in his answer denies that he with Jacob Schiff, Otto H. Kahn, James Stillman, or others, have owned or controlled the majority stock of the Union Pacific. He admits he is president and other men are directors. Schiff and Kahn resigned in 1896 and Stillman in 1898. He also admits that Schiff and Kahn are members of the firm of Kuhn, Loeb & Co., and that that firm bought stocks and bonds of the Union Pacific and the Oregon Short Line, but it is denied that the company was a "fiscal agent" of the Union Pacific. He denied that he and other defendants conspired to restrain trade among the several states and foreign countries or to restrain the competition among the defendant steamship and railroad lines or to deprive the public of the advantages of trade and commerce through independent competition, if any there was, or to effect a consolidation with the idea of monopolizing or restraining trade and commerce, admitting however, that the Union Pacific acquired a majority of the capital stock of the various lines and steamship systems. He denies in each instance that the acquisition of stock was to kill competition or monopolize trade commerce or business.

Admitting that the directors of the several companies are identical, he denies that the Union Pacific has the control, management or operation of any affiliated lines. He avers that in the trans-continental lines of railroads reaching the Pacific Coast south of Portland, the Union Pacific is but a link about 1000 miles in length, an intermediate carrier without any power to make rates upon such traffic; that the Southern Pacific owns and controls the lines between Ogden and the coast with no power to make rates on business east of Ogden; that no rates could be made from the Missouri river to the coast without the joint consent of Union Pacific and the Southern Pacific; that

while the Union Pacific and its constituent companies are separately owned, the connecting lines, operated as a single system from the Missouri river to Portland, and operated certain steamships between Portland and San Francisco, yet any such route via Portland was not only impracticable as a competitor of the Southern Pacific, but any attempt to use it as such would greatly injure the Union Pacific because the Southern Pacific would thereupon have preferred the rivals of the Union Pacific in routing and interchange at Ogden and business in tonnage and revenue thus lost would have greatly exceeded the total volume of business received over such an impracticable route in competition with the Southern Pacific.

Harriman denies that the rail line of the Southern Pacific between San Francisco and Portland are in active competition with the ships of the O. R. & N. between the points named, explains that such competition is wholly impracticable. He denied that the ships operated by the Portland and Asiatic steamship company between Portland and the Asiatic ports in connection with the rail lines of the Union Pacific were ever in competition with the Pacific Mail Steamship Co. He denies that any competition ever existed between the system of railroads and steamships owned by the Union Pacific and the Southern Pacific, or, if any such competition did ever exist, it was not substantial or that it included a large

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## WITHIN FIVE YEARS

### Stanford May be Transformed Into Graduate School.

### PRESIDENT'S ANNOUNCEMENT

### President Jordan's Idea Has Been Under Consideration for Some Time But Thus Far It Has Not Reached the Stage of Discussion.

STANFORD UNIVERSITY, Cal., April 6.—The announcement at Spokane by President Jordan that within five years Stanford would be transformed into a great graduate school, with neither freshmen nor sophomores represented, created much discussion. It was generally regarded as a movement in the direction of raising the standard of the high schools and cutting the regular college course to two years so that more time may be given to special training in the professions and scientific work.

Referring to President Jordan's announcement Prof. Stillman, head of the chemistry department, and acting president during the absence of the president, and Prof. John C. Branne, gave out the following interview tonight:

"President Jordan's idea has been under consideration for some time but thus far it has not reached the stage of discussion. Dr. Jordan has been conferring with prominent educators throughout the country, getting their ideas on this subject, but no steps have yet been taken to present the scheme to either the faculty or the trustees. When that formal move will be taken is uncertain.

"Stanford University is working under a charter, which provides no settled rules governing the exact nature of the institution. In fact it is strictly within the province of the board to make out of Stanford any kind of a university that they see fit. Nothing prevents the trustees from making a change even more radical than the one suggested by Dr. Jordan."

### AUNT BECKY YOUNG DEAD.

DES MOINES, April 6.—Upon the 41st anniversary of her marriage, Aunt Becky Young, the first woman to offer herself as a nurse when the Civil War broke out, and famous as a leader of nurses, died today aged 76.

## STRENUOUS ACTIVITY

### Bryan Addresses Banquet-ors at Denver.

### FOLLY OF IMPERIALISM

### Roosevelt Took Inspiration to Regulate Railroads From Democratic Platform.

### EXIGENCIES OF THE CAMPAIGN

### Spoke in Favor of Revision and Said it Was Gratifying to See Republicans Vying With Each Other in Advocacy of Tariff Reform.

DENVER, April 6.—William Jennings Bryan closed a day of strenuous activity addressing 850 banquetors tonight in the spacious El Jabel Temple Banquet Hall, in addition to hundreds of others who filled every available seat in the galleries overlooking the main room. The banquet was arranged by the Bryan Democratic Club of Colorado and its president, John F. Shafroth, presided. Bryan was the only speaker.

During the reception half a hundred waiters who had been engaged in a dispute with the caterer and went on strike. After parleying for an hour or more this portion of the banquet was abandoned and without having eaten the speech-making began.

Bryan declared the Democratic principles of 1896 had been vindicated. He said the quantitative theory of money had been proved to be correct. "For we have 50 per cent per capita more money in circulation now than we had in 1896 and with that increase we had higher prices and better times." He said the silver question was no longer the issue that its elimination was due to the fact that "We have secured from another source an increase in currency which was expected from the restoration of Bimetallism." He said the Democratic protest against the trusts has been shown to be well founded and that on the tariff question the Democrats' position is being strengthened by both the Democrats and the Republicans. He spoke of the attitude of Taft and Fairbanks in favor of revision and said it was gratifying to see the Republicans vying with each other in the advocacy of tariff reform but "The people are not likely to entrust the reduction of the tariff to men who are not willing to have tariff reform at once, or who have not discussed the tariff until the exigencies of the campaign made it necessary.

He declared Roosevelt took his inspiration to regulate the railroads from the Democratic platform, but said that the railroad legislation did not prove effective. He said that the national incorporation of railroads recommended by the President was a step backward instead of forward and must be resisted by the Democrats. Of Taft, Bryan said: "Secretary Taft seems to be regarded as a representative of the reform element and yet he has so little of the reform spirit and his record so barren of any work in behalf of reform that he will hardly satisfy the expectations raised among the Republicans by some of the President's recommendations."

Bryan spoke at length against imperialism and said the last nine years had shown the folly of the policy.

### BY WIRELESS.

The Standard Oil barge No. 3 is now totally disabled and is being towed to Puget Sound by the Col. E. L. Drake, the oil tank steamer.

### REVIEWS WINTER WORK.

CHICAGO, April 6.—In the Chicago Board of Health Bulletin issued yesterday the relief work for homeless men undertaken during the winter by municipal lodging houses is reviewed.

After recalling the necessity of such institutions during the cold months on account of the prevailing conditions, the bulletin states that the city made special efforts to provide places of shelter and also food for men out of work with the following results:

- 1—The Chicago public protected against contagion.
- 2—The homeless men were kept clean, healthy and free from suffering.
- 3—Some unworthy, idle and drifting criminals were forced out of Chicago.
- 4—Some innately honest but weak men were shielded from being driven into crime.
- 5—It was demonstrated that men can be sufficiently fed for health and strength for less than seven cents a day.
- 6—Feeding, heating, bathing and medical supervision can be done for nine cents a day.

## OCTUPLE SKULLS

### Efforts to Introduce by Americans Rowing Association.

### UTILITY OF SCULL CREWS

### Stewards of the Poughkeepsie Regatta Are Anxious to Introduce This Style of Racing on Hudson—To Turn Out Another Eight.

NEW YORK, April 6.—To introduce octuple skulls rowing among the colleges of the colleges of the country is to be one of the serious efforts of the American Rowing Association. The stewards hope to have at least three such eights in competition for their annual regatta on the Schuylkill river at Philadelphia on May 23. To date the University of Pennsylvania is the only college that has developed this style of rowing. Coach Wards intends to turn out another such eight this year. In previous years the Quakers have been obliged to secure their opponents for this race from club crews. This year the stewards hope to have one or more big universities to enter octuple skull crews.

The experience of the Pennsylvania proves the great utility of turning out of the skull crews. Every year Coach Ward forms his surplus oarsmen into an octuple skulls crew and in addition to entering them in the American regatta they are used to pace the varsity eight in its time trials. For this work they are far better than any number of second crews. Inasmuch as the stewards of the Poughkeepsie regatta are anxious to introduce this style of racing on the Hudson, the American Rowing Association stewards expects the colleges which row at Poughkeepsie to take advantage of the opportunity afforded by the regatta here.

The stewards are beginning to receive entries of assurances of entries of many club oarsmen throughout the east. It is expected that the club crews will have a better representation than ever before. Bennett and Daly, the Worcester champions, expect to compete, while this city will send over its usually large delegation. The same is true of Baltimore and Washington.

## ARMY BILL IS PASSED

### Practically as Reported From Committee.

### ONE HUNDRED MILLION

### Bill Materially Increases Pay of the Officers and the Enlisted Men.

### ONLY ONE AMENDMENT ADDED

### Foraker Calls For the Names of All of the Soldiers of the 25th Infantry Dishonorably Discharged Who Have Applied For Reinstatement.

WASHINGTON, April 6.—The army bill carrying an appropriation of almost \$100,000,000 was passed by the Senate today practically as reported from the committee on military affairs. The only amendment was one that carried an appropriation of \$20,000 for a system of water works for Fort William Henry Harrison, in Montana. The bill materially increases the pay of officers and the enlisted men. A resolution by Foraker was adopted and calls upon the Secretary of War for the names of all the soldiers of the 25th infantry who were discharged without honor on account of the Brownsville affair who have applied for reinstatement.

### ADMIRAL EVANS.

### Wife and Daughter Now on Their Way to California to Visit Him.

CHICAGO, April 6.—"He is always ready for sea duty but he is afraid of social festivity."

That was the little character sketch of Admiral Robley D. Evans, given by the person who knows him best—his wife.

Mrs. Evans was in Chicago four hours on her way to join the admiral in California. She was accompanied by her daughter, Mrs. C. G. Marsh of Washington, wife of Commander Marsh, at the present time in command of all the torpedo boats and submarines in the navy.

"You see," continued Mrs. Evans, "my husband always responds with alacrity to the demands of duty which call him to the bridge, but he is far less enthusiastic in answering the demands of that other duty which calls him to the banquet hall or to the ball rooms.

"He finds dinners and dances and receptions very trying after a hard period of duty on the bridge. During the voyage around the Horn he has been entirely unable to attend many of the festivities arranged so lavishly in honor of the fleet. The rheumatism from which he has been suffering has bothered him a great deal on the voyage. He has been subject to these rheumatic attacks for many years and so I am not so anxious about him as though they were something new.

"I have had recent word from him and I am thankful, indeed to be able to say that he now is feeling a great deal better. The rheumatism is rapidly disappearing and he is generally in much better condition than he was a short time ago."

Mrs. Evans and Mrs. Marsh will go first to Los Angeles where they will be the guests of Los Angeles committee which is entertaining the battleship fleet.

After the festivities at Los Angeles Mrs. Evans and her daughter will join the admiral at Paso Robles, later going to San Francisco.

Mrs. Evans and Mrs. Marsh left for Los Angeles over the Santa Fe train Wednesday.

### EGGS FROM SCOTLAND.

NEW YORK, April 6.—Eighteen eggs arrived aboard the Cunarder Lucania. They were carefully enclosed in raw cotton and were part of the baggage of George Irving, employed by Andrew Carnegie. Irving had gone to Scotland to attend the funeral of his brother and Mr. Carnegie had asked him to bring back eighteen of the finest black Minorca eggs that he could get. Irving got them and took them to Liverpool in his trunk. On the way over the Lucania got such a jostling by the seas that she had to halt at times to keep the eggs from overwhelming her. Meanwhile the embryonic Minorcas were getting into a condition that promised to make it impossible for them to become natives of America.

Irving still had hopes when he got here, but Customs Inspector Rowland Story, who is a breeder of fancy chickens told him that no alien Minorcas would ever come out of those eighteen eggs because they had been addled by the pitching and tossing of the ship. The inspector said that if the trip had been a few days longer Irving would have had merely a large omelet.

## REQUEST GRANTED

### Consideration of the National Civic Federation Bill.

### TRANSFERRED TO JUDICIARY

Senator Elkins, Chairman of Committee of the Interstate Commerce Aided to Have His Committee Relieved of Anti-Trust Consideration

WASHINGTON, April 6.—In accordance with the understanding reached on Friday in the Senate committee of interstate commerce, Senator Elkins, the chairman, today asked the Senate to relieve his committee from the consideration of the national civic federation bill to amend the Sherman anti-trust law and the bill by Senator Foraker dealing in part with the same subject, and to send them to the committee of the judiciary. The request was granted. The bill of the civic federation was introduced in the Senate by Warner of Missouri, is the same as that now being considered by the House committee of the judiciary. It is understood the Senate committee will accept the testimony taken in the House on the measure and will not grant a hearing. The Foraker bill consists of one section and is designed to legalize contracts. "Not in restraint of trade and commerce."

### PUBLIC SERVICE COMMISSION

### Testing Gas Meters...Less Than One Third Correct

NEW YORK, April 6.—Since the establishment of the public service commission last year New York has been possessed of a means for the official testing of gas meters. Figures have been compiled by the commission showing the number of meters tested and the condition in which found. During the first six months of the commission's existence there were 1,562 tests on complaints of consumers. Of the meters tested 205 were found to be correct, 809 were fast and 550 slow. Since the first of January complaints have been much more numerous. For the three months ending March 31 there were 2,805 meters tested on complaint, of which 524 were absolutely correct, 1,820 fast and 661 slow.